

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. 1004**

Amending County Land Use Code, Plans and Maps to Adopt Troutdale's Recent Land Use Code, Plan and Map Revisions in Compliance with Metro's Functional Plan, and Declaring an Emergency

**The Multnomah County Board of Commissioners Finds:**

- a. The Board of County Commissioners adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions be in compliance with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Troutdale (City) amended the urban services agreement to include an agreement that the City of Troutdale would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Troutdale.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Troutdale Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600003407) (IGA).
- e. The Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and maps in compliance with Metro's Functional Plan by Ordinance 973 (1/31/2002).
- f. Since the adoption of Ordinance 973, the City's Planning Commission recommended the land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments, set out in Section 1 below and attached as Exhibit 1. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

**Multnomah County Ordains as follows:**

**Section 1.** The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps, and land use code chapters are amended to include the City land use code, plan, guideline and map amendments, attached as Exhibit 1 and effective on the same date as the respective Troutdale ordinance:

Exhibit No.	Ordinance	Effective Date
1	An Ordinance amending Troutdale Development Code Chapters 1, 3, and 6 relating to definitions, Industrial Zoning Districts and Annexations and amending the Zoning District Map (City Ord. 724)	10/9/2002

**Section 2.** In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

**Section 3.** In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

**Section 4.** Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Troutdale Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Troutdale Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

**Section 5.** An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION:

December 19, 2002



BOARD OF COUNTY COMMISSIONERS,  
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

Thomas Sponsler, County Attorney  
For Multnomah County, Oregon

By   
Sandra N. Duffy, Deputy County Attorney

EXHIBIT 1

ORDINANCE NO. 724

**AN ORDINANCE AMENDING TROUTDALE DEVELOPMENT CODE  
CHAPTERS 1, 3 AND 6 RELATING TO DEFINITIONS, INDUSTRIAL  
ZONING DISTRICTS AND ANNEXATIONS AND AMENDING THE  
ZONING DISTRICT MAP.**

**THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. The Troutdale Citizens Advisory Committee reviewed these proposed amendments over a course of six meetings between November 2001 and June 2002. The Planning Commission held public hearings on July 17 and August 21, 2002, to take public testimony and forwarded a recommendation to the City Council to adopt these proposed amendments to the Troutdale Development Code (TDC) and Zoning District Map.
2. In compliance with TDC 15.010B, the amendments to the Development Code text were initiated by the Planning Commission and are being processed as a legislative procedure. In compliance with ORS 227.160 to 227.185, notification of the proposed text amendments was mailed to affected property owners on May 3, 2002. Notice was also published in the local newspaper, the Outlook, on July 6, 2002 and August 31, 2002.
3. In compliance with TDC 15.010C, the amendments to the Zoning District map were initiated by the Planning Commission and processed as a legislative procedure. In compliance with ORS 227.160 to ORS 227.185, notification of the proposed map amendments was mailed to affected property owners on May 3, 2002. Notice was also published in the local newspaper, the Outlook, on July 6, 2002 and August 31, 2002.
4. The Council determined during the August 27, 2002, hearing that the Planning Commission's recommended text and zoning district map amendments should be revised as follows:
  - Retain the Industrial Park zoning district and retain the IP zoning on the Mount Hood Community College properties.
  - Remove recreational vehicle parks from the conditional use list in the Light Industrial zoning district.
  - Remove self-service storage (mini-storage) from the permitted uses in the industrial zones.

- Set aside the text amendments pertaining to annexation for action at a later date.

These changes are reflected in Attachment A, the Troutdale Development Code text amendments and Attachment B, the Zoning District Map amendment.

5. In compliance with TDC 15.010E, amendments may be considered at any time, and may follow or be in conjunction with other amendments. Amendments to the Troutdale Development Code text include revisions to the definitions and the Light Industrial and General Industrial zones (Attachment A).
6. In compliance with TDC 15.050(A)(2) the public need is best satisfied by these text amendments.
7. In compliance with TDC 15.050(A)(3) the text amendments will not adversely affect the health, safety, and welfare of the community.
8. In compliance with TDC 15.050(A)(4), the particular text amendments to the Troutdale Development Code do not conflict with applicable Comprehensive Land Use Plan goals and policies. The text amendments are consistent with the Metro Urban Growth Management Functional Plan.
9. In compliance with TDC 15.050(C)(1), the proposed Zoning District Map amendments will rezone properties identified on Attachment B from Industrial Park to Light Industrial. These properties are already within the Industrial Plan area, and the Light Industrial zoning district is consistent with the description and policies for the applicable comprehensive land use plan classification.
10. In compliance with TDC 15.050(C)(2), the uses permitted in the Light Industrial zoning district, can be accommodated on the sites proposed to be rezoned from Industrial Park to Light Industrial without exceeding the physical capacity of those sites.
11. In compliance with TDC 15.050(C)(3), there are adequate public facilities, services, and transportation networks in place, or planned, or that can be provided concurrently with development within the areas affected by the proposed Zoning District Map amendments. The Zoning District Map amendments will remove the trip cap applied to properties as a condition of approval for Zone Change File 96-079 adopted by Ordinance No. 648 pertaining to the Port of Portland properties and Zone Change File No. 97-116 pertaining to the I-84 Corporate Center properties.

12. In compliance with TDC 15.050(C)(4), the Zoning District Map amendments will not interfere with the livability, development, or value of other land in the vicinity of site-specific proposals when weighed against the public interest in granting the proposed amendment.
13. In compliance with TDC 15.050(C)(5), the Zoning District Map amendments will not be detrimental to the general interest of the community.
14. Notice of the public hearing has been provided in accordance with applicable laws.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
TROUTDALE**

The Troutdale Development Code is hereby amended to read as shown in Attachment A and the Zoning District Map is amended to designate the Light Industrial Zoning District on properties identified in Attachment B and Attachment C.

YEAS: 6  
NAYS: 0  
ABSTAINED: 0

  
Paul Thalhofer, Mayor

Dated: 10-9-02

  
Debbie Stickney, City Recorder

Adopted: October 8, 2002

## CHAPTER 1 – INTRODUCTORY PROVISIONS

- 1.020 General Definitions. As used in this code, the following words and phrases shall have the following meanings:
- .01 Abutting. Adjoining with any common boundary line(s).
  - .02 Access. The place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property of use.
  - .03 Accessway. Paved pathways which provide direct and continuous pedestrian and/or bicycle passage through blocks. Accessways are designed to provide continuous pedestrian/bicycle routes by connecting a public street to another street or residential area, neighborhood activity center, industrial or commercial center, transit facility, park, school, open space, or trail system.
  - .04 Accessory Residential Unit. A second dwelling unit either within or added to a detached single-family dwelling that includes separate kitchen, bathroom, and sleeping area(s).
  - .05 Accessory Structure. A non-residential structure which is subordinate to the principal structure that is located on the same lot serving purposes clearly incidental to the principal structure. Accessory structures include detached garages, detached carports, storage sheds, gazebos, detached decks over 12 inches in height, play structures, or other structures detached from the primary structure determined to be similar by the Director.
  - .06 Accessory Use. A non-residential use of a structure serving purposes clearly incidental to the principal use.
  - .07 Adjacent. Adjacent means near, close; for example, an industrial district across the street or highway from a commercial district shall be considered as adjacent.
  - .08 Adult Foster Home (AFH). Any family home or facility in which residential care is provided for five or fewer adults who are not related to the provider by blood or marriage, with exclusions as noted in ORS 443.715.
  - .09 Aggregate Resource. Any and all rock, sand, soil, or gravel product extracted for commercial, industrial, or construction use from natural deposits.

- .10 Alley. Any public right-of-way less than 16 feet in width which has been dedicated or deeded to the public for public use.
- .11 Apartment Building. See Dwelling, Multiple-Family.
- .12 Apartment Unit. An individual dwelling unit within a multiple-family dwelling, or constructed above, below, behind, or beside another use, including mixed-use dwellings.
- .13 Attached Residential Dwelling. See Dwelling, Attached.
- .14 Automobile Wrecking Yard. See Junk Yard.
- .15 Bikeway. Any street or path which in some manner is specifically designated for the use of bicycles, or for shared use by bicycles, and other transportation modes compatible with bicycle use. The term "bikeway" includes bike lane and bike path.
- .16 Bike Lane. A portion of a street or shoulder designated for use by bicycles through the application of a paint stripe.
- .17 Bike Path. A separate trail or path closed to motor vehicle use which is for the exclusive use of bicycles or the shared use of bicycles and pedestrians.
- .18 Boarding, Lodging, or Rooming House. Any building, or portion thereof, containing not more than five guestrooms where rent is paid.
- .19 Building Height of. The vertical distance from the average grade to the highest point of the roof of the building.
- .20 Carpool/Vanpool. A group of two or more commuters who share the ride to and from work, school, or other destinations.
- .21 Child Care Facility. See Day Care Facility.
- .22 City Administrator. The appointed chief administrative officer of the City who is responsible for the administration of all City ordinances, and who may make final determinations on all administrative decisions made by the Director or designated official.
- .23 Clear Vision Area. The area near intersections of roadways and ingress/egress points where a clear field of vision is necessary for public safety.



- .24 Clinic. A building, or portion of a building, containing one or more offices for providing medical, dental, or psychiatric services not involving overnight housing of patients.
- .25 Clustering. A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.
- .26 Community Service Use. A noncommercial use established primarily for the benefit and service of the population of the community or region in which it is located. Community service uses include, but are not limited to, schools, churches, community centers, fire stations, libraries, hospitals, fraternal lodges, cemeteries, and government-owned or government-operated structures or land used for public purposes.
- .27 Congregate Housing. Housing for retirement-age citizens and their spouses or the surviving spouse, the developmentally disabled, or handicapped persons, which provides a minimum of services to accommodate the needs of residents. Such a facility usually includes separate apartments, with or without kitchens, a communal dining facility, housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for the residents. Congregate housing may include assisted living facilities and services.
- .28 Corporate Headquarters. A complex of buildings whose purpose is to be the administrative center of a business enterprise. Corporate headquarters may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, and child care facilities.
- .29 Day Care, Certified, or Group Day Care Home. A day care facility certified by the State of Oregon Department of Human Resources located in a building constructed as a single-family dwelling that is certified to care for no more than 12 children.
- .30 Day Care, Family Provider. A day care facility providing care in the provider's home in the family living quarters for six or fewer children full-time, with up to four additional full- or part-time children when school is not in session during the regular school year. During the summer when school is not in session, there may be up to four additional part-time children of any age in care, and shall be in care no more than four hours per day. There shall be no more than ten children at any given time, including the provider's children.

- .31 Day Care Center or Day Care Facility. Any facility providing full-time care to more than 12 children in a structure other than a single-family residential dwelling.
- .32 Development. Any manmade change to improved or unimproved real estate including, but not limited to, construction, installation or change of a building or structure; land division; storage on the land; tree cutting; drilling; and site alteration such as that due to land surface mining, dredging, grading, paving, excavating, or clearing.
- .33 Development Permit. A permit issued for decks, accessory structures, and similar structures which requires zoning approval, but does not require a building permit.
- .34 Director. The appointed city official who is responsible for the administration of community development and related ordinances.
- .35 Distribution Center. An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by boat, rail, air, or motor vehicle.
- .36 Dwelling, Attached (rowhouse and townhouse). A building containing four or more dwelling units, each of which has its own front and rear access to the outside with its own front and rear yard. No unit may be located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. Each unit may be on a separate lot.
- .37 Dwelling, Duplex. A building containing two dwelling units totally separated from each other by an unpierced wall extending from ground to roof. A duplex may also be constructed on two adjacent lots with the common wall on the property line.
- .38 Dwelling, Mixed-Use. A building with residential units above, below, or behind a non-residential use.
- .39 Dwelling, Multiple-Family. A residential building (apartment) containing four or more dwelling units, including units that are located one over the other. It does not include duplex, triplex, zero lot line, or attached dwellings.
- .40 Dwelling, Single-Family Detached. A residential building, including manufactured or modular homes, containing not more than one dwelling unit surrounded on all sides by yard area.

- .41 Dwelling, Triplex. A building containing three dwelling units, each of which has direct access to the outside and the dwelling units are totally separated from each other by an unpierced wall extending from ground to roof. All three dwelling units may be on the same lot or may be constructed on three adjacent lots with common walls between two of the units.
- .42 Dwelling Unit. Any building, or portion thereof, with living facilities, including provisions for sleeping, eating, cooking, and sanitation, for not more than one family.
- .43 Dwelling, Zero Lot Line. A single-family detached dwelling that is located on a line in such a manner that one or more of the building's sides rest directly on a lot line.
- .44 Family. An individual, two or more persons related by blood or marriage, or a group of not more than five persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit.
- .45 Flex-Space Building. A building constructed with large floorplates, having open spaces that can be partitioned off for specific tenants as needed.
- .46 Floor Area. The area of all floors included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and exterior courts.
- .47 Frontage. The portion of a parcel of property abutting a public or private street.
- .48 Four-Plex. See Dwelling, Attached.
- .49 Grade. The grade shall be as defined in the Uniform Building Code, as adopted by the City.
- .50 Group Home. See Residential Facility and Residential Home.
- .51 Heliport. A landing site for helicopters accessory to a use not located at the Portland-Troutdale Airport.
- .52 Home Occupation. An accessory use conducted entirely within a building that is clearly incidental and secondary to the use of the dwelling for dwelling purposes.
- .53 Hotel/Motel. A building, or group of buildings, containing six or more guestrooms used for transient residential purposes which may include ancillary restaurant uses.

- .54 Junk Yard. A lot for the dismantling or "wrecking" of motor vehicles, or for the storage or keeping, of junk, including scrap metals or other scrap materials.
- .55 Kennel or Other Animal Boarding Place. Any premises where five or more dogs over one year of age are kept, for any purpose whatsoever, or any premises where dogs are bred, boarded, or offered for sale as a commercial business. "Other animal boarding place", as used in this code, means and includes any premises where six or more cats or other animals are bred, boarded, or offered for sale as a commercial business.
- .56 Legislative Action. Any action which amends City policy including, but not limited to, changes to the Comprehensive Land Use Plan text, Development Code text, and other implementing ordinances, and map changes or amendments to the Comprehensive Land Use Plan Map, the Zoning District Map, or other City adopted maps which represent a change in City land use policy.
- .57 Loading Space. An off-street space or berth used for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials.
- .58 Lot. A unit that is created by a subdivision of land.
- .59 Lot Area. The total horizontal area enclosed within the lot lines of a lot.
- .60 Lot Coverage. The percentage of the total lot area covered by structures, including all projections except eaves, balconies, bay windows, or uncovered decks 12 inches or less above grade.
- .61 Lot Depth. The horizontal distance measured midway between the front and rear lot lines. In the case of a corner lot, the depth shall be the length of its longest side lot line.
- .62 Lot Line Adjustment. The relocation of a recorded lot line which does not result in the creation of an additional lot, or reduce any lot below minimum sizes required by this code.
- .63 Lot Line, Front. For an interior lot, a line separating the lot from the street, and, for a corner lot, a line separating the narrowest frontage of the lot from the street.
- .64 Lot Line, Rear. A lot line not abutting a street which is opposite and most distant from the front lot line.

- .65 Lot Line, Side (Interior Lot). Any lot line which is not a front or rear lot line.
- .66 Lot Line, Side (Corner Lot). A line other than the front lot line separating the lot from the street, or a line separating the lot from the abutting lot along the same frontage.
- .67 Lot Width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
- .68 Manufactured Home or Manufactured Dwelling. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use as a dwelling with or without a permanent foundation when connected to the required utilities. To qualify as a manufactured home, the structure shall have been manufactured after June 15, 1976 and must bear an insignia issued by a state or federal agency indicating that the structure complies with all applicable construction standards of the U.S. Department of Housing and Urban Development. For flood plain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.
- .69 Manufacturing, Primary. An establishment engaged in the initial processing or treatment of raw material or manufacturing of products that require additional processing, fabrication, or assembly for ultimate use by the consumer. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.
- .70 Manufacturing, Secondary. An establishment engaged in the manufacture of products predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding primary industrial processing. These products are for final use or consumption. This usually involves the processing, fabrication, or assembly of semi-finished products from a primary manufacturing industry.
- .71 Marina. A small harbor, boat basin, or moorage facility providing boat berthing, docking and mooring, and incidental services for recreational, commercial and/or charter fishing, or tour boats. Incidental services include, but are not limited to, restrooms; showers; minor boat and motor

repair; mooring buoys; refueling facilities; boat hoists/lifts; boat launch ramp; small office for marina management; club house and/or meeting room; vending machines; small retail area for marine, fishing and other outdoor supplies and equipment; ice, packaged beverages, and foods; limited service restaurants; and temporary restaurants.

- .72 Marine Industrial/Marine Service Facility. A structure or use which is commercial or industrial in nature and which needs to be located in or adjacent to water areas because the use requires water access. Such uses include, but are not limited to, ship, tug barge, and workboat moorage and storage; vessel repair facilities; aquaculture facilities; and fish processing facilities.
- .73 May. As used in this code, MAY is permissive and SHALL is mandatory.
- .74 Mixed-Use Development. The development of a tract of land, building, or structure with a variety of uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form. See Dwelling, Mixed-Use.
- .75 Mobile Home. See manufactured home.
- .76 Multiple-Family Dwelling. See Dwelling, Multiple-Family.
- .77 Net Area. The total area of a parcel of land less the following: proposed public streets; area constrained for development under the provisions of this code; area within a community resource protection overlay district; or, where approved by the City Council, land area dedicated or conveyed to the City.
- .78 Nonconforming Development. A development that was legally established before this code was adopted or amended, but which does not comply with the current regulations in this code due to subsequent enactments or amendments.
- .79 Nonconforming Lot. A lot or parcel that was legally established before this code was adopted or amended, but which does not comply with the current regulations in this code due to subsequent enactments or amendments.
- .80 Nonconforming Structure. A structure that was legally established before this code was adopted or amended, but which does not comply with the current regulations in this code due to subsequent enactments or amendments.

- .81 Nonconforming Use. A use that was legally established before this code was adopted or amended, but does not comply with or is not permitted to exist due to subsequent enactments or amendments to this code.
- .82 Nursing Home. Housing with long-term physical and medical care for the physically handicapped, emotionally handicapped, or elderly population. Other terms used today include residential health care facility, extended care, intermediate care, and long-term care. However, independent living, assisted living, and congregate housing are considered unique from this use within this code.
- .83 Outdoor Business. A business, all or most of which is conducted, or items displayed, in an open space area including sidewalk sales, pushcart vendors, Saturday markets, and Christmas tree sales.
- .84 Owner. The owner of record of real property as shown on the tax rolls of Multnomah County, or a person purchasing a piece of property under contract. For the purposes of this title, in terms of violations and binding agreements between the City and the owner, "owner" also means a leaseholder, tenant, or other person in possession or control of the premises or property at the time of agreement, violation of agreement, or the provisions of this title.
- .85 Parcel. A piece of land created by a partition, subdivision, deed, or other instrument recorded with the appropriate recorder. This includes a lot, a lot of record, or a piece of land created through other methods.
- .86 Partition, Major. Creation of two or three lots, within a 12-month period, that includes creation of a street.
- .87 Partition, Minor. Creation of two or three lots, within a 12-month period, which does not create a street.
- .88 Pedestrian Walkway. An exterior hard-surfaced pathway intended for pedestrian use. Also referred to simply as a walkway.
- .89 Principal Use. The primary purpose for which a lot, structure, or building is used.
- .90 Professional Office. An office containing the activities such as those offered by a lawyer, architect, engineer, accountant, artist, teacher, real estate, or insurance sales.
- .91 Processing. To subject to some special process or treatment, as in the course of manufacture; change in the physical state or chemical composition of matter; the second step in use of a natural resource.

Examples include petroleum refining, oil shale crushing, retorting and refining, ore smelting, coal crushing and cleaning, saw mill, alfalfa pellet mills, food canning or packing, creation of glass, ceramic or plastic materials, gravel crushing, cement manufacture, and concrete batch plants. Processing occurs in both primary and secondary manufacturing.

- .92 Quasi-Judicial Action. An action which involves the application of adopted policy to a specific development application or amendment.
- .93 Reclamation Plan. Shall have the meaning contained in ORS 517.750 and OAR 632-30-025 (Department of Geology and Mineral Industries).
- .94 Residential Facility. As defined in ORS 197.660, a facility which provides residential care and/or training and treatment for six to fifteen individuals.
- .95 Residential Home. As defined in ORS 197.660, a facility which provides residential care and/or training and treatment for five or fewer individuals.
- .96 Rowhouse. See Dwelling, Attached.
- .97 School. A public, parochial, or private institution that provides educational instruction to students. This definition does not include trade or business schools or colleges.
- .98 Shall. As used in this code SHALL is mandatory and MAY is permissive.
- .99 Single-Family Dwelling or Single-Family Residence. See Dwelling, Single-Family Detached.
- .100 Site and Design Review Committee. A committee comprised of key staff members chaired by the Director to review applicable development proposals for compliance to the provisions of this code.
- .101 Street Lighting. The total system of wiring, poles, arms, fixtures, and lamps, including all parts thereof that are necessary to light a street or pedestrian way.
- .102 Street, Private. A thoroughfare or street providing a means of access to a property or properties which is not owned by the City or other jurisdictions.
- .103 Street, Public. A thoroughfare or right-of-way acquired for use by the public which affords a principal means of access to abutting property not less than 16 feet in width.
- .104 Subdivision. Creation of four or more lots.



- .105 Technical Review Committee. A committee comprised of key staff members chaired by the Director to review development proposals for technical compliance with this code and other applicable ordinances and regulations.
- .106 Townhouse or Townhome. See Dwelling, Attached.
- .107 Transit Facility. A facility intended to accommodate and assist transit users. Transit facilities include light rail transit stations, park and ride lots for transit riders, transit centers, transit shelters, bus turnout lanes, and transit stops.
- .108 Transit Street. Any street identified as an existing or planned bus or light rail transit route.
- .109 Tri-Plex. See Dwelling, Triplex.
- .110 Two-Family Dwelling. See Dwelling, Duplex.
- .111 Utility Facility, Major. Administrative offices and operation centers, wet system pump stations, sewage treatment plants and lagoons, electric generation facilities (other than small scale accessory wind turbines or solar panels intended to generate electricity for onsite uses), sanitary landfills, pump stations, substations (transmission and distribution), water towers and reservoirs, public wells (aboveground), telephone switching equipment, communication receiver and transmission facilities, telecommunication towers and poles, and drinking water treatment facilities.
- .112 Utility Facility, Minor. Street lights; underground lines and pipes; underground wells; transformers and regulator stations; closed system sanitary pump stations; and private, on-site facilities such as septic tanks, wells, and catch basins.
- .113 Warehouse. A building used primarily for the storage of materials or goods for use on the site or later distribution.
- .114 Windscreens. A fence-like structure, not to exceed six feet in height, on the north or east side of a residential building only, and used to reduce the wind velocity at exterior doors.
- .115 Yard. A required open space on a lot that is unoccupied and unobstructed except for permitted projecting building features and accessory buildings.

- .116 Yard, Front. An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward, except as authorized by this code.
- .117 Yard, Rear. An open space extending across the full width of the lot between the main building and the rear lot line, unoccupied and unobstructed from the ground upward, except as authorized by this code. Where there is no rear lot line, the depth of the rear yard shall be the distance from a ten-foot line parallel to the front lot line, measured from one side line to the other.
- .118 Yard, Side. An open space between any building and the side lot line, unoccupied and unobstructed from the ground upward, except as authorized by this code.
- .119 Yard, Street Side. An open space adjacent to a street that is not a front yard, unoccupied and unobstructed from the ground upward, except as authorized by this code. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 622, ef. 4/13/95; Amended by Ord. 658, ef. 3/12/98; Repealed and reamended by Ord. 661, ef. 7/23/98; Amended by Ord. 705, ef. 5/10/01; Amended by Ord. 716, ef. 5/9/02]

### CHAPTER 3 – ZONING DISTRICTS

#### 3.160 LIGHT INDUSTRIAL

LI

- 3.161 Purpose. This district is intended for light, clean industries usually of a manufacturing or storage nature with little outdoor storage. These industries usually do not require rail access and have very little process visibility. They usually create little or no air or water pollution and have no nuisance factors such as bright yard lights, continuous noise or objectionable odors. Wholesale and limited retail sales are permitted. These uses may be located adjacent to residential or commercial uses with appropriate buffering. [Adopted by Ord. 550, ef. 9/25/90]
- 3.162 Permitted Uses. The following uses and their accessory uses are permitted in the LI district:
  - A. Secondary manufacturing, except any use having the primary function of story, utilizing, or manufacturing toxic or hazardous materials.
  - B. Processing facilities, except any principal use involving the rendering of fats, the slaughtering of fish or meat, or the fermenting of foods such as sauerkraut, vinegar, or yeasts, but not including wineries or breweries.
  - C. Distribution centers.

- D. Airport and related uses, including airport supportive commercial and industrial uses such as maintenance facilities, hangars, aircraft tie-downs, passenger parking, and flight schools.
- E. Warehouses.
- F. Utility facilities.
- G. Research and development companies, experimental or testing laboratories, and trade or commercial schools.
- H. Public parks, parkways, trails, and related facilities.
- I. One caretaker residence.
- J. Corporate headquarters.
- K. Professional offices.
- L. Medical and dental clinics.
- M. Product sales, service, and/or display accessory to any manufacturing, fabricating, or processing use, provided the sales, service, and/or display area does not exceed 15% of the gross floor area.
- N. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 660, ef. 5/28/98]

3.163 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses within a LI district:

- A. Heliports accessory to permitted or approved conditional uses.
- B. Retail, wholesale, and discount sales and services, including restaurants, banks, dry-cleaners, and similar establishments, with or without drive-up or drive-through window service, subject to the standards listed in section 3.165, Additional Requirements, or this chapter.
- C. Community service uses.
- D. Utility facilities, major.
- E. Automobile, truck, trailer, heavy equipment, recreational vehicle, boat and manufactured home sales, rentals, and repair shops.
- F. Card-lock fueling stations, truck stops, service stations, tire shops, and oil change facilities.

- G. Motels or hotels, including banquet rooms, conference, or convention centers.
- H. Commercial sports complexes including, but not limited to, health clubs, tennis courts, aquatic centers, skating rinks, and similar facilities.
- I. Child care facilities, kindergartens, and similar facilities.
- J. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 660, ef. 5/28/98]

3.164 Dimensional Standards.

A. Setbacks.

- 1. Front yard setback: Minimum of 20 feet.
- 2. Side yard setback: Minimum of ten feet.
- 3. Rear yard setback: None.
- 4. Additional setback requirements: If any use in this district abuts or faces any residential zoning district, a setback of 50 feet from the property line or centerline of an intervening public street, on the side abutting or facing the residential zoning district shall be required.
- 5. Setbacks for insufficient right-of-way: Setbacks shall be established when a lot abuts a street having insufficient right-of-way width to serve the area. The necessary right-of-way widths and the setback requirements in such cases shall be based upon the Comprehensive Land Use Plan and applicable ordinances and standards.

- B. Height Limitation. The maximum height for any structure shall be 45 feet unless otherwise limited by the Federal Aviation Administration. [Adopted by Ord. 550, ef. 9/25/90]

3.165 Additional Requirements.

- A. Design review is required for all uses in the LI district.
- B. All lots shall have frontage or approved access to public streets, public water, and public sewer before development is allowed.
- C. Off-street parking spaces shall be provided in accordance with the requirements of Chapter 9, Off-Street Parking and Loading, of this code.

- D. Retail, wholesale, and discount sales and service are limited in size as follows:
1. The maximum floor area of a single retail, wholesale, or discount sales or service business shall be 60,000 square feet.
  2. No one use shall exceed 15% of the gross leasable area of an industrial flex-space building or Corporate Headquarters, and the cumulative area of all retail, wholesale, and discount sales and services use within such building shall not exceed more than one-half of the gross leasable area of the building.
- E. Development is subject to compliance with any applicable overlay zoning district standards. [Adopted by Ord. 550, ef. 9/25/90]

3.170 GENERAL INDUSTRIAL

GI

3.171 Purpose. This district is intended for manufacturing industries, large-scale fabricators, freight and trucking firms, primary metals, and lumber, etc., that usually require highway access and/or rail service. These firms usually have a high degree of process visibility and need outdoor storage of materials and products. These industries are likely to create minor air and water pollution, as well as nuisance factors such as noise and odor, and the generation of truck, shipping, or rail traffic. [Adopted by Ord. 550, ef. 9/25/90]

3.172 Permitted Uses. The following uses and their accessory uses are permitted in the GI district:

- A. Primary manufacturing.
- B. Any permitted use within the LI zoning district.
- C. Use of toxic or hazardous materials in the manufacturing process, and temporary storage of toxic or hazardous material by-products.
- D. Freight and trucking firms.
- E. Automobile, truck, trailer, heavy equipment, recreational vehicle, boat and manufactured home sales, rentals, and repair shops.
- F. Card-lock fueling stations, truck stops, service stations, tire shops, and oil change facilities.
- G. Utility facilities, major and minor, except for the following which require conditional use approval: sanitary landfills, recycling centers, and transfer stations, sewage treatment plants and lagoons, and telecommunication towers or poles.
- H. Marinas.
- I. Marine Industrial/Marine Service Facilities.
- J. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 660, ef. 5/28/98]

3.173 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses within the GI district:

- A. Child care facilities, kindergartens, and similar facilities.
- B. Community service uses.

- C. Concrete or asphalt manufacturing plants.
- D. Sanitary landfills, recycling centers, and transfer stations.
- E. Sewage treatment plants and lagoons.
- F. Telecommunication towers and poles.
- G. Junk yards.
- I. Residential dwelling/hangar mixed uses when the hangars are served by a taxiway with direct access to the Troutdale Airport Runway. The use shall be subject to the following requirements:
  - 1. Approval from the Port of Portland.
  - 2. Approval from the Federal Aviation Administration.
  - 3. No separate accessory structures are allowed.
- I. Heliports accessory to permitted or approved conditional uses.
- J. Commercial sports complexes including, but not limited to, health clubs, tennis courts, aquatic centers, skating rinks, and similar facilities.
- K. Commercial uses within industrial flex-space buildings, subject to the standards listed in section 3.175, Additional Requirements, of this chapter.
- L. Processing facilities whose principal use involves the rendering of fats, the slaughtering of fish or meat, or the fermentation of foods such as sauerkraut, vinegar, and yeast, but not including wineries or breweries, which are permitted outright per subsection 3.172(B) of this chapter.
- M. The manufacturing or storing of toxic or hazardous materials when done in compliance with federal and state regulations.
- N. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 660, ef. 5/28/98]

3.174 Dimensional Standards.

- A. Setbacks.
  - 1. Front: 20 feet.
  - 2. No side or rear yard setbacks unless the property abuts a parcel of land in a more restrictive manufacturing or commercial district, in

which case the requirements of the abutting zoning district shall apply.

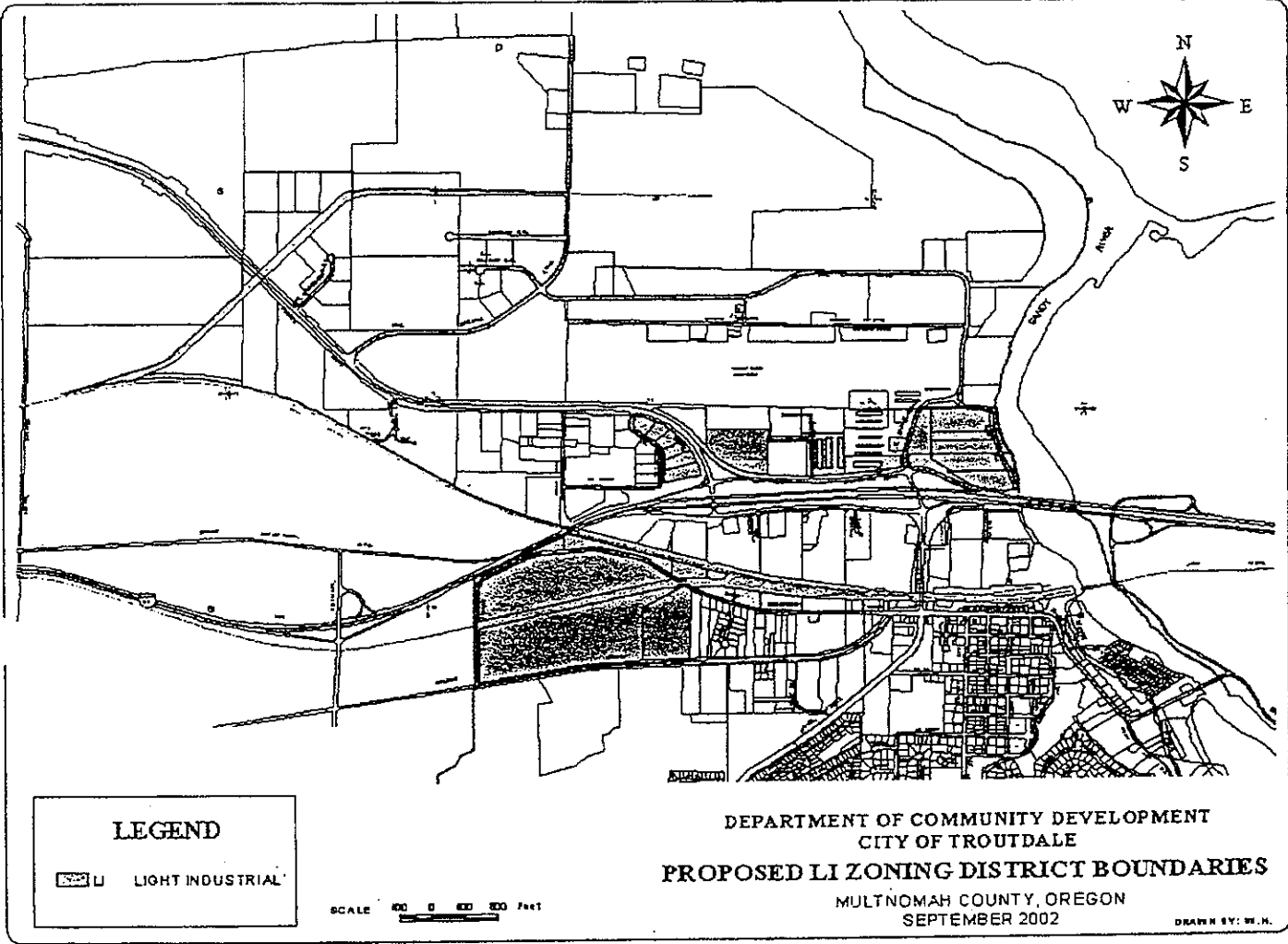
3. Additional setback requirements: If any use in this district abuts or faces any residential zoning district, a setback of 50 feet from the property line or centerline of an intervening public street, on the side abutting or facing the residential or apartment district shall be required.
4. Setbacks for insufficient right-of-way: Setbacks shall be established when a lot abuts a street having insufficient right-of-way width to serve the area. The necessary right-of-way widths and the setback requirements in such cases shall be based upon the Comprehensive Land Use Plan and applicable ordinances and standards.

- B. Height Limitation. None, unless otherwise limited by the Federal Aviation Administration. [Adopted by Ord. 550, ef. 9/25/90]

3.175 Additional Requirements.

- A. Design review and landscaping is required for all uses in the GI district.
- B. All lots shall have frontage or approved access to public streets, public water, and public sewer before development is allowed.
- C. Off-street parking spaces shall be provided in accordance with the requirements of Chapter 9, Off-Street Parking and Loading, of this code.
- D. Commercial uses within industrial flex-space buildings are subject to the following standards:
  1. No one commercial use shall exceed 15% of the gross leasable area of a flex-space building, and the cumulative area of all such uses shall not exceed more than one-half of the gross leasable area of a building, or 60,000 square feet, whichever is less.
  2. Drive-throughs and drive-up service windows are not permitted.
- E. Development is subject to compliance with any applicable overlay zoning district standards. [Adopted by Ord. 550, ef. 9/25/90]





## ATTACHMENT C – Ord. No. 724

PROPERTIES TO BE REZONED FROM IP TO LI				
TAX MAP	TAX LOT	AREA	ADDRESS & USE	OWNER
1N3E25B	00900	3.35	1000 NW Graham Rd Holiday Inn Express	Troutdale Hospitality Group LLC
1N3E25B	00901	0.05	at I-84 westbound exit at NW Graham Rd	ODOT right-of-way
1N3E25B	01000	0.98	818 NW Graham Rd Wendy's Restaurant	Jeffrey & Irene French
1N3E25B	01300 PTN	3.12	North Frontage Road Troutdale Airport	Port of Portland
1N3E25B	01600	0.48	North Frontage Road Troutdale Airport	Port of Portland
1N3E26	00100	46.46	E of NE 244 <sup>th</sup> , North of SW Halsey & South of railroad tracks	County Farm Property
1N3E26A	00500 PTN	4.05	Troutdale Airport North Frontage Rd	Port of Portland
1N3E26A	00600	0.66	Troutdale Airport North Frontage Rd	Port of Portland
1N3E26A	00700	0.66	Troutdale Airport North Frontage Rd	Port of Portland
1N3E26A	00800	0.54	Troutdale Airport North Frontage Rd	Port of Portland
1N3E26A	01100 PTN	9.00	Troutdale Airport North Frontage Rd	Port of Portland
1N3E26A	01301	1.77	Lots 1 & 2 Plat of I-84 Corporate Center. East side of NW Corporate Drive	Multiple Tenants Meier 1 LLC % Wyse Investment Services Co.
1N3E26A	01303	1.92	Lots 3 & 4 Plat of I-84 Corporate Center. East side of NW Corporate Drive	Multiple Tenants Meier 1 LLC % Wyse Investment Services Co.
1N3E26A	01305	1.22	Lot 5 Plat of I-84 Corporate Center East side of NW Corporate Drive	Vacant Meier 1 LLC % Wyse Investment Services Co.
1N3E26A	1306	2.09	Lot 6 Plat of I-84 Corporate Center East side of NW Corporate Drive	Vacant Meier 1 LLC % Wyse Investment Services Co.
1N3E26B	01200	24.90	1700 W Historic Col River Hwy	Mult County Animal Shelter
1N3E26B	01201	1.67	Agricultural use. South side of West Historic Columbia River Hwy East Of NE244 <sup>th</sup>	ODOT right-of-way
TOTAL ACREAGE		102.92		